

VZCZCXRO5068
OO RUEHBC RUEHDE RUEHKUK RUEHMOS
DE RUCNDT #0979/01 1351701
ZNY CCCCC ZZH
O 151701Z MAY 06
FM USMISSION USUN NEW YORK
TO RUEHC/SECSTATE WASHDC IMMEDIATE 9017
INFO RUEHEE/ARAB LEAGUE COLLECTIVE IMMEDIATE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE IMMEDIATE

C O N F I D E N T I A L SECTION 01 OF 02 USUN NEW YORK 000979

SIPDIS

SIPDIS

E.O. 12958: DECL: 05/15/2016
TAGS: [PREL](#) [SY](#) [LE](#)
SUBJECT: HARIRI INVESTIGATION GOING WELL, BRAMMERTZ WILLING
TO EXTEND

Classified By: Classified by Ambassador Jackie W. Sanders for reasons 1
.4 (b) and (d).

¶1. (C) Summary: UNIIIC Commissioner Serge Brammertz told Ambassador Bolton May 10 that the investigation into the assassination of former Lebanese Prime Minister Rafiq Hariri is "going well" although he will not be ready to announce major developments when he next reports to the Security Council in June. Discussing the related investigation into the other 14 assassinations (or attempts), he said there are several groups of perpetrators and links among the different crimes. He was critical of Lebanon's operational capability to investigate and prosecute these crimes. From a "moral perspective," Brammertz expressed hope that the scope of the jurisdiction of the tribunal could include not only the perpetrators of the Hariri assassination but those responsible for the other attacks, as well. He assessed Syrian cooperation thus far as "positive," but noted he would evaluate and corroborate all information obtained from the SARG.

¶2. (C) Acknowledging that Lebanese Justice Minister Rizk "wants a tribunal tomorrow," Brammertz said he believes the investigation should remain the priority and he has therefore advised against the premature establishment of the tribunal, stating he needed another six to ten months. He explained he had organized the Commission's work into a de facto prosecution office of a tribunal, operating according to international standards, to ensure a seamless transition of evidence. He said he considers himself a "civil servant of international justice," appreciates the advantages of continuity in carrying out the investigation, and confirmed his willingness to stay in his position until the end of the year. While grumbling about the bureaucracy, he said he has "real" support from the UN Secretariat and the personal support of the Secretary-General. End Summary.

Status of Investigation

¶3. (C) Ambassador Bolton, accompanied by Ambassador Sanders, spoke May 10 with UNIIIC Commissioner Serge Brammertz, who also met with other P5 members during his visit to New York. Brammertz said he now had a team of 25 investigators and analysts ("60 percent of what we need") working steadily. Generally speaking the investigation is going well. While he said they are making progress every day, he cautioned he will not be ready to announce significant developments when he next reports to the Security Council in mid-June.

¶4. (C) Brammertz noted that he had met with Syrian President Assad and Vice President Sha'ara, and that he had had the opportunity to ask the questions he wanted to ask. He assessed SARG cooperation as "positive" and said he was cautiously optimistic that the SARG would continue to respond to his requests to interview people and for information; the

SARG had so far respected the deadlines he had set. He added that he is cross-checking all the information he receives from the Syrians, evaluating and corroborating SARG answers to his inquiries.

¶5. (C) Ambassador Bolton asked Brammertz to discuss the interplay between the Hariri investigation and UNIIIC's involvement in the investigation of the other terrorist attacks in Lebanon (14 assassinations or attempted assassinations since October 2004). Brammertz said he has established a separate unit to provide technical assistance to GOL investigative and judicial authorities responsible for handling the other terrorist attacks, and admitted he was pushing the envelope to support the Lebanese as fully as possible in this endeavor. He said there are obvious links between the Hariri assassination and the other crimes, although he said the Hariri crime was significantly more sophisticated and complex. He speculated that there have been several groups of perpetrators carrying out the attacks; these groups are serving as proxies for higher-level criminals.

¶6. (C) While lauding the Lebanese effort, Brammertz was scathing in his assessment of GOL operational capabilities, describing crime scene management as a "nightmare" and dismissing the analytical capability of the Lebanese investigative judges, whom he noted lacked resources. He and Ambassador Bolton discussed the advantages of a Lebanese reorganization of its security and judicial assets into a task force responsible for dealing with this set of crimes; Brammertz said he observed a need for better internal interaction and worried that the multiple Lebanese security services and confessional arrangement of Lebanese institutions inevitably led to duplication and lack of coordination.

USUN NEW Y 00000979 002 OF 002

The Commission and the Tribunal

¶7. (C) Brammertz said he was aware of the Lebanese desire to move quickly to establish the tribunal, commenting that Justice Minister Rizk "wants a tribunal tomorrow." He said he had shared his considered view that the investigation must remain a priority for the next six to ten months, and that premature establishment of the tribunal would have a negative impact on the investigation. He also said that the Lebanese judicial authorities are capable of carrying out any necessary judicial tasks in the interim such as the issuance of arrest warrants. He explained that he had organized the Commission into a de facto tribunal prosecutor's office, and that he and his team -- many of whom had prior experience on international tribunals -- are operating according to international standards. The result, he said, will be that "all the evidence I collect can be used in court." The tribunal will be able to act directly on the information prepared by the Commission.

Brammertz extension

¶8. (C) Brammertz said he had accepted the job as Commissioner on the basis of a special six-month agreement between the UN and the ICC (scheduled to expire this summer). He said the Secretary-General had asked him to stay on. Conscious of the advantages of continuity for the investigation, he said he was willing to remain in place until the end of the year. He also described Annan as personally supportive of him, and characterized the support from the UN Secretariat as "real," although he described UN budget and hiring practices as "not easy." Ambassador Bolton reassured him that the USG would work to ensure he and the Commission had the required resources.

BOLTON